THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 6445 of 2007

Dated: 30.03.2007

Between:

T. Narasaiah.

.... PETITIONER

AND

A.P.S.R.T.C., rep. by its Regional Manager,
Nalgonda Region, Nalgonda, Nalgonda District,
and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 6445 of 2007

Order:

The petitioner was appointed as a Driver in the respondents-Corporation in the year 1989. While working as such, during periodic medical examination, the Medical Officer, APSRTC Dispensary, Tarnaka, Hyderabad, declared the petitioner medically unfit to hold the post of A-1 Driver due to defective eye vision, vide his letter, dated 16.04.2006. Based on the said letter, the

2nd respondent issued proceedings, dated 01.08.2006, retiring the petitioner from service on medical grounds with effect from 01.08.2006. Thereafter, the petitioner made a representation dated 29.08.2006, under Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, requesting the 1st respondent, namely the Regional Manager, to provide alternative employment, but till date, no orders thereon have been passed. Hence, he filed the present writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC.

Since the representation dated 29.08.2006, said to have been made by the petitioner under Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 requesting to provide alternative employment, is pending consideration before the 1st respondent,

without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with the following direction.

The 1st respondent, namely the Regional Manager, APSRTC,

Nalgonda Region, Nalgonda, is directed to consider the representation of the petitioner, if any, for providing alternative employment in lieu of his medical unfitness in the light of the provisions under Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and pass appropriate orders thereon, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 30.03.2007
Nsr